

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

STARRED QUESTION NO:373
ANSWERED ON:18.12.2014
MARRIAGE LAWS
Ahmed Shri Sultan

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government proposes any amendment in the Marriage laws including the Special Marriage Act, 1954 and if so, the details thereof;
- (b) the procedure adopted by the Government to dispose of divorce cases in a time-bound manner; and
- (c) the other steps taken/being taken by the Government in this regard?

Answer

MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA)

(a) to (c): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a), (b) and (c) of the Lok Sabha Starred Question No 373 for answer on 18.12.2014.

(a)to(c): The Marriage Laws (Amendment) Bill, 2010 which proposed amendments to the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954 for making irretrievable breakdown of marriage as a ground of divorce was introduced in Rajya Sabha on 4th August, 2010. The Bill was considered and passed by the Rajya Sabha as the Marriage Laws (Amendment) Bill, 2013 on 26th August, 2013. Even though notice was given, the Bill could not be taken up for consideration and passing in the Lok Sabha. The Fifteenth Lok Sabha was dissolved and hence the Bill got lapsed.

2. In this connection, we have received more than 74 representations in respect of the Marriage Laws (Amendment) Bill, 2013 from individuals, particularly, senior citizens, Non-Governmental organizations e.g., Save Indian family, Centre for Reforms, addressed to Ministers.

3. In these representations, grave and far reaching legal, social and economic implications of the proposed amendments to Marriage laws including Special Marriage Act, 1954 have been raised, for example,

- (i) amendments being in violation of article 15 of the Constitution;
- (ii) marriage rate will reduce;
- (iii) there will be increase in illegitimate and live-in relations thereby fall of institution of marriage and family values,
- (iv) crime rate will increase,
- (v) undue litigation will increase,
- (vi) it is gender biased proposal;
- (vii) the rationale behind proposed amendment questioned to provide share in in-laws property whereas already Hindu Succession Act provides women the right of her share in her father's property. In these representations, request has been made to review the proposal to amend the Marriage Laws.

4. In this background, the Government is examining the aforesaid implication alleged to be involved in the proposal to amend the Marriage Laws (Amendment) Bill, 2014.